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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/639,083 08/16/00 HUENIKEN

P 051481-5053

EXAMINER

009629 MMC2/1011
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON DC 20036-5869

PRASAD, C

ART UNIT

PAPER NUMBER

2839
DATE MAILED:

10/11/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/639,083

Applicant(s)

HUENIKEN ET AL.

Examiner

Chandrika Prasad

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. The reply filed on 9/20/01 consists of remarks related to rejection of claims. The claims are not allowable as explained below.

Drawings

2. The drawings are objected to because it is not clear to which elements the reference numbers 10 and 20 are pointed to in Figure 1. Correction is required.

Specification

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "10" and "12 and 14" have been used to designate projections (see Page 4, line 23 and Page 5, line 1). Correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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- The independent claim 1 recites the limitation "the first member" in line 6 and "the second member" in line 12. There is insufficient antecedent basis for these limitations in the claim.
- The independent claim 11 recites the limitation "the first member" in line 6 and "the second member" in line 11. There is insufficient antecedent basis for these limitations in the claim.
- The independent claim 12 recites the limitation "the first member" in line 6 and "the second member" in line 17. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manning et al. in view of Kay et al.

Manning (Figures 1-7) shows a male member (plug connector) 24 having a housing 22 with a resilient first projection (latch structure) 20 which engages an aperture in a C-shaped channel (groove) 90 of a female member (receptacle) 26. The latch member has a protrusion 96 and a cavity formed between the protrusion 96 and another protrusion 106. The protrusion 96 has a tapered section 88. The plug housing 22 further has another projection 84, which engages the groove 90 for alignment purposes. Figures 4, 5, 6 and 7

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show different embodiments of the housing 22 having different configuration of the latch structure. Figure 4 shows both ends of the latch member 20 fixed to the housing while Figures 5 and 6 shows only one end of the latch member fixed to the housing. But Manning does not show a pair of the first and second projections. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide a pair of first and second projections because this would require a mere duplication of parts which involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. *Kay* (Figures 1-7) shows such a pair of resilient latch members 32.

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Norizuki (Figures 1-9) shows a system for connecting a plurality of members (male connector 50, female connector 60, cover 30, holder 20) all having the same central axis lying in a plane. The member 20 has a pair (one on top and one at bottom) of

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projections 26 with one end attached to the member 20 and the other end with a tapered protrusion 26a resiliently movable relative to the other end. The protrusions 26a visibly engages cavities 34b of retention arms 34 located in C-shaped channel in the member 30.

Response to Arguments

10. Applicant's arguments with respect to claims 1-14 have been considered but are not persuasive. The applicant alleges that the Manning's base portion 44 is used for alignment purposes and that this function would be ruined. But such a feature of the base portion is not described in Manning's Column 6, lines 22-29 as alleged by the applicant and it is not clear how the function will be ruined. Furthermore the duplication of latch arm 20 will involve the bottom wall 56, which is identical to top wall 52.

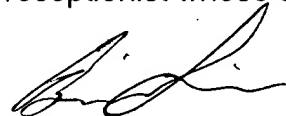
Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrika Prasad whose telephone number is (703) 308-0977. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus, can be reached at (703) 308-3119. The fax number for this Group is (703) 308-7722. Any inquiry of a general nature or relating to the status of this application or processing should be directed to the Group receptionist whose telephone number is (703) 308-1782.



Chandrika Prasad

October 3, 2001



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